IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA)	
	Plaintiff,) 8:09MJ264 (D. Nebr.)) 1:09-MJ-065 (S.D. IA)	
	vs.) DETENTION ORDER	
JA	SON McCAIN,) }	
	Defendant.	;	
A.	Order For Detention After conducting a detention hearing pursuant Act on December 30, 2009, the Court order pursuant to 18 U.S.C. § 3142(e) and (i).	nt to 18 U.S.C. § 3142(f) of the Bail Reformers the above-named defendant detained	
B.	Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.		
C.	a maximum sentence of t (b) The offense is a crime of (c) The offense involves a na	s Report, and includes the following: e offense charged: in violation of 18 U.S.C. § 2113(a) carries wenty years imprisonment. violence.	
	may affect wheth The defendant hat X The defendant hat X The defendant hat The defendant of ties. Past conduct of to the defendant hat X The defendant hat Court proceeding (b) At the time of the current Probation Parole Supervised Release	ppears to have a mental condition which her the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. Hoes not have any significant community the defendant: as a history relating to drug abuse. as a history relating to alcohol abuse. as a significant prior criminal record. has a prior record of failure to appear at s. arrest, the defendant was on:	
	(c) Other Factors:		

DETENTION (ORDER - Page 2	
	— — —	The defendant is an illegal alien and is subject to deportation. The defendant is a legal alien and will be subject to deportation if convicted. The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal. Other:
X (4)	release are a	and seriousness of the danger posed by the defendant's s follows: the nature of the charges in the Complaint, the s of his arrest, and the defendant's extensive criminal history.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 30, 2009.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge